

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 79-58

ORDER REQUIRING M & T CHEMICALS, INC., AKA MRI CORPORATION, SOUTH SAN FRANCISCO, SAN MATEO COUNTY, CALIFORNIA, TO CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

- A. On October 15, 1974, this Regional Board adopted Order No. 74-104, an NPDES Permit, prescribing waste discharge requirements for M & T Chemicals, Inc., South San Francisco, California.
- B. On October 7, 1977, M & T Chemicals, Inc., informed the Regional Board that MRI Corporation, hereinafter referred to as the "discharger", became the successor by assignment to the Metals Recovery Division of M & T Chemicals, Inc.
- C. The waste discharge requirements of Order No. 74-104 provide, in part, as follows:

"A. Effluent Limitations

... ..

2. The discharge of waste 002, except when it contains stormwater runoff, in excess of the following limits is prohibited:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
Total Suspended Solids	mg/l	30	45
	lbs/day	5.5	8.3
	kg/day	2.5	3.8

... ..

3. Neither waste 002 nor waste 003 as discharged shall have a pH of less than 6.5 nor greater than 8.5.
4. For waste 003, and for waste 002 during periods of stormwater runoff, the daily maximum tin concentration shall not exceed 2.0 mg/l. Daily maximum shall be the average of a minimum of three grab samples taken at equal intervals with the first grab taken during the first hour of stormwater discharge.

... ..

C. Land Waste Disposal Specifications

1. The discharge of wastes from the waste storage ponds to surface waters or groundwaters of the State is prohibited.
2. All waste storage ponds and approved waste storage areas shall be adequately protected from flooding. Adequate protection is defined as protection from a flood having a predicted frequency of once in 100 years and from the maximum high tide of record.
3. All waste materials and any water that has contacted waste materials shall be contained in the waste storage ponds or in areas approved by the Executive Officer.
4. The discharger shall maintain a minimum freeboard of two feet in waste storage ponds at all times.

... ..

D. Provisions

... ..

4. The discharger shall comply with Section A1, C1 and D1 of this Order immediately upon adoption.
5. The discharger shall comply with the following time schedule to assure compliance with A2, A3, A4, B, C2, C3, and C4 of this Order;

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Date</u>
...	...	...
Full compliance with all sections	September 1, 1975	September 15, 1975"

- D. Inspections by the Regional Board's staff and Self Monitoring Report from the discharger indicate that the discharger is violating and/or threatens to violate requirements listed in Finding "C" above.
- E. The Regional Board's staff notified the discharger of violations of effluent pH and suspended solids limitations and Land Disposal Specifications on February 7, 1978.
- F. On May 15, 1979, the California Regional Water Quality Control Board, San Francisco Bay Region, after due notice, held a public hearing under the provisions of Water Code Sections 13301, 13385, and 13386 regarding the discharge of waste and pollutants by MRI Corporation.

IT IS HEREBY ORDERED THAT:

- A. MRI Corporation, aka M & T Chemicals, Inc., South San Francisco, California, cease and desist discharging wastes contrary to the requirement listed in Finding C of this order.
- B. MRI Corporation, aka M & T Chemicals, Inc., comply with Item A in accordance with the following time schedule to assure compliance with the specifications of this Order:

1. Compliance with Effluent Limitations A.3 and A.4 applicable to waste 003

<u>Task</u>	<u>Completion Date</u>
Start Construction of berm containment facilities	May 18, 1979
Complete Construction	September 1, 1979
Full Compliance	September 15, 1979

2. Compliance with Effluent Limitations A.2., A.3., and A.4. applicable to waste 002

<u>Task</u>	<u>Completion Date</u>
Start Construction (Diversion of all identified potential contamination sources)	June 1, 1979
Complete Construction	August 1, 1979
Full Compliance	August 15, 1979

3. Compliance with Land Disposal Specifications C.1., C.2., C.3., and C.4.

<u>Task</u>	<u>Completion Date</u>
Start Construction (Pond trenching and sealing)	June 1, 1979
Submit report on sludge optimization process	
Initial Report	August 1, 1979
Final Report	April 1, 1980
Complete Construction	September 1, 1979
Full Compliance	September 15, 1979

- C. MRI Corporation, aka M & T Chemicals, Inc., is required to provide to the Board by July 1, 1979, and monthly thereafter, a report, under penalty and perjury, on progress toward compliance with the provisions of this Order.

D. If the Executive Officer finds that the discharger has failed to comply with the provisions of this order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate. If the Executive Officer determines that the provisions of this order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reason that the MRI Corporation has been unable to comply with the provisions of this order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 15, 1979.

FRED H. DIERKER  
Executive Officer